

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

_____)	
ETHYPHARM S.A. FRANCE,)	
)	
Plaintiff,)	
)	C.A. No. 08-126 (SLR)
v.)	
)	
ABBOTT LABORATORIES,)	
)	
Defendant.)	
_____)	

DEFENDANT'S MOTION TO DISMISS ALL CLAIMS OF THE COMPLAINT

Defendant Abbott Laboratories ("Abbott") hereby moves to dismiss all claims pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. The grounds for this motion are set forth in defendant's opening brief, which, together with the accompanying Declaration of Sean M. Brennecke, Esq., dated May 13, 2008, is being filed herewith.

BOUCHARD MARGULES & FRIEDLANDER, P.A.

/s/ David J. Margules
David J. Margules (#2254)
222 Delaware Avenue
Wilmington, DE 19801
(302) 573-3500
dmargules@bmf-law.com

OF COUNSEL:

William F. Cavanaugh, Jr.
Thomas W. Pippert
Benjamin S. Litman
PATTERSON BELKNAP WEBB & TYLER LLP
1133 Avenue of the Americas
New York, NY 10036-6710
(212) 336-2000

Attorneys for Defendant Abbott Laboratories

Dated: May 13, 2008